

## **BILL ANALYSIS**

C.S.S.B. 707  
By: Van de Putte  
Licensing & Administrative Procedures  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

During the 78th(R) legislative session changes were made regarding the licensing and regulation of electrical work. Until H.B. 1487 (78R) some municipalities and regions had licensing and regulatory programs for electrical work, while others did not. C.S.H.B. 1487 (78R) enacted the Texas Electrical Safety and Licensing Act, creating a state license for six classes of electricians and two classes of contractors and adopting statewide standards for electrical workers in Texas.

However, many electricians were unaware of the changes in law until they tried to renew their license with their municipalities. Because of this they were unaware of the grandfather provision in the new law and were unable to take advantage of it.

C.S.S.B. 707 extends the grandfather language, requires the issuance of a license without examination to certain veterans and certain licensees who perform electrical work or electrical sign work, as well as requires the department to accept certain alternative documentation for on-the-job experience and provide adequate notice concerning the extended application period.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Subchapter D, Chapter 1305, Occupations Code, by adding Section 1305.1615, as follows:

Sec. 1305.1615. CERTAIN APPLICANTS WHO ARE VETERANS. Requires the department to issue a license without examination to an individual who meets certain stipulations.

SECTION 2. Amends Section 1305.202, Occupations Code, as follows:

(b) Requires the department to issue an equivalent license without examination to an individual who holds a license to perform electrical work or electrical sign work issued by a municipality or region that elects to discontinue the municipality's or region's licensing program if the individual:

- (1) held the municipal or regional license for the preceding year;
- (2) has the experience required for the license under this chapter; and
- (3) submits an application for a license under this chapter not later than the 90th day after the date the municipal or regional program is discontinued.

SECTION 3. Amends Sections 3(a) and (k), Chapter 1062, Acts of the 78th Legislature, Regular Session, 2003, as follows:

(a) Requires the Texas Department of Licensing and Regulation (TDLR) to issue a license to a qualified applicant under this section who applies for a license under this section not later than December 31, 2005, rather than June 1, 2004.

(k) Provides that this section expires September 1, 2007, rather than 2005.

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SECTION 4. (a) Provides for the issuance of a license under Section 3, Chapter 1062, Acts of the 78th Legislature, Regular Session, 2003, by requiring the executive director of TDLR to accept alternative documentation of experience under certain conditions and provides that an individual applying for a license in an area in which a municipal or regional licensing program exists is eligible only for an equivalent license issued by the department.

(b) Requires the Texas Department of Licensing and Regulation to provide notice of the period extended as provided by this section in which an applicant may apply for a license under Section 3, Chapter 1062, Acts of the 78th Legislature, Regular Session, 2003, to certain places.

(c) Requires the Texas Department of Licensing and Regulation, in the notice required under Subsection (b) (1) of this section, to request that the municipal or regional licensing program provide notice of the extended application period to all individuals holding electrical licenses issued by that program.

SECTION 5. Effective date: Immediately, or, if the Act does not receive the necessary vote, then the Act takes effect September 1, 2005.

#### **EFFECTIVE DATE**

Immediately, or, if the Act does not receive the necessary vote, then the Act takes effect September 1, 2005.

#### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

C.S.S.B. 707 modifies the bill by removing language that would have established an expiration date for Section 1305.1615, Occupations Code.

C.S.S.B. 707 modifies the bill by adding new language requiring the department to issue an equivalent license without examination to an individual who holds a license to perform electrical work or electrical sign work given certain conditions.

The substitute modifies the bill by removing language that would have required the department to issue a license to an applicant who is otherwise qualified for a license under Section 1305.1615, Occupations Code of the original; rather, the substitute requires the department to issue a license to an applicant who applies for a license under this section not later than December 31, 2005, pays the application fee, and meets other requirements; adds new language providing that this section expires on September 1, 2007.

C.S.S.B. 707 modifies the bill by adding new language requiring the executive director to accept alternative documentation of experience under certain conditions for the issuance of a license.

C.S.S.B. 707 modifies the bill by adding new language requiring the department to provide notice of the extended period as provided by this section, and in the notice request that a notice concerning the extended application period be provided to all individuals holding electrical licenses issued by a municipality's program.

The substitute adds new language providing that the effective date of the Act is immediate given certain circumstances, rather than effective on September 1, 2005.